

DEPARTMENT OF BEHAVIORAL HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Behavioral Health (“the Department”), pursuant to the authority set forth in Sections 5113, 5115, 5117 and 5118 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code §§ 7-1141.02, 7-1141.04, 7-1141.06 and 7-1141.07 (2012 Repl. & 2016 Supp.)), hereby gives notice of the adoption of an amendment to Chapter 34 (Mental Health Rehabilitation Services Provider Certification Standards) of Subtitle A (Mental Health) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this rule is to amend Section 3410 to eliminate the progress note that providers are currently required to complete monthly for each consumer. The requirement for the progress note was to ensure clinical oversight of the services provided to the consumer; while clinical oversight is still critical, it is now satisfied through compliance with the Department’s policy on supervision (DBH Policy #710.3B, Standards in Supervision of Community-Based Mental Health and Substance Use Disorder Treatment Services), which clarifies the regulatory requirements for supervision.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on September 23, 2016 at 63 DCR 011659. No comments were received and no changes have been made. The Director adopted this rule as final on October 24, 2016 and it shall become effective on the date of publication of this rulemaking in the *D.C. Register*.

Chapter 34, MENTAL HEALTH REHABILITATION SERVICES PROVIDER CERTIFICATION STANDARDS of Title 22-A DCMR, MENTAL HEALTH, is amended as follows:

Subsection 3410.17 of Section 3410, MHRS PROVIDER QUALIFICATIONS - GENERAL, is amended to read as follows:

3410.17 Each provider shall comply with the Department’s policy on supervision, including requirements for the documentation of supervision.